

REMARKS

In the Office Action mailed July 13, 2007, the Examiner brought to the Applicants' attention the fact that a Supplemental Information Disclosure Statement was necessary, and the Applicants are filing herewith a Supplemental Information Disclosure Statement to meet their obligations under 37 CFR §1.56. Applicants appreciate the Examiner's advice with respect to the missing prior art.

The Examiner also suggested to the Applicants that they include section headings in the Specification, and Applicants are submitting herewith a Substitute Specification in which section headings have been added, and in which the term SOFC PEN has been more accurately described as a positive electrode-electrolyte-negative electrode rather than the term Positive-Electrolyte-Negative as used in the Specification, as filed. The Examiner had suggested that the term "electrode" be inserted after the terms positive and negative, and that is why that correction has been made in the Substitute Specification. Enclosed are copies of the Substitute Specification, one with markings showing all the changes relative to the immediate prior version of the Specification, of record, and the other being a clean version (without markings). Counsel for the Applicants makes the following statement under 37 C.F.R. §1.125: The substitute Specification includes no new matter.

Addressing now the Claim Objections set out under point 8 of the Office Action, Claim 25 has been amended so that the acronyms "SOFC PEN" are now first described in Claim 25. In Claim 44, the references to LSM and LSC have been deleted. A new Claim 51 is proposed so as to correctly use acronyms as requested by the Examiner.

In reply to the objection under 35 USC § 112, point a., reference characters referring to the drawing have been deleted from all Claims, namely, from Claims 25-29, 31 and 34.

Claim 26 has been formally amended to provide a proper antecedent basis, as requested on page 5, point b., of the Office Action.

Claim 27 has been amended so that the expression “wherein it comprises” has been replaced by “comprising,” in order to address the objection on page 5, point c., of the Office Action. The Applicants believe that this objection concerns Claim 27, and not Claim 26.

Claim 31 has been amended so that the expression “thin layers” has been replaced by specific thicknesses of the respective layers as indicated in the written specification. In particular, the thickness of the active anode layer being 1-20 μm is disclosed in paragraph [0072] of the application as published. The thickness of the electrolyte layer being 3-30 μm is disclosed in paragraph [0073] of the application as published, and the thickness of the active cathode layer being 1-20 μm is disclosed in paragraph [0074] of the application as published (all on page 18 of the application as filed).

The amendment to Claim 31 thus removes the relative term “thin,” which was objected on page 5, point d., of the Office Action.

Claim 40 has been amended so as to provide proper antecedent basis to address the objection on page 5, point e., of the Office Action.

In Claims 41, 44-46, the expressions “in particular [...]” or “particularly [...]” have been deleted in order to address the objections on page 6, points f. and g., of the Office Action.

Claims 45 and 46 have been further amended so that the meaning of the letter “L,” standing for the length of the fibers, has been added to these Claims: the meaning of “L” being length in the ratio of L/d is disclosed in paragraph [0046] of the application as published (the first paragraph on page 14 of the application as filed).

New Claims 50-55 are directed to subject matter that was deleted from some of the amended claims.

In particular, new Claim 50 is based on the features of micromolding and gelling deleted from Claim 41. New Claim 50 also contains the features of Claim 30 to which Claim 41 refers.

New Claim 51 is based on the features of fibers selected from LSM or LSC, on the basis of Claim 44, from which these features were deleted.

New Claims 52 and 53 are based on the diameters and L/d ratios that were deleted from Claim 45.

Similarly, Claims 54 and 55 are based on the diameters and L/d ratios that were deleted from Claim 46.

Finally, a new Claim 56 has been added, directed to the features of the front face of the anode on the electrolyte also comprising raised structures, wherein the raised structures of the front faces and/or rear faces of the anode and cathode are obtained by stamping. This new Claim is based on paragraph [0027] of the application as published (page 10, first paragraph, of the application as filed), where the process of stamping for obtaining the raised structures referred to is disclosed.

The Applicants believe that all objections and rejections raised in the Office Action of July 13, 2007, have been duly addressed and removed. As was indicated on page 6 of the Office Action, Claims 25-49 of the present application would be allowable if said objections and rejections were overcome. This being the case now, the issuance of a notice of allowance is kindly requested for Claims 25-56.

Respectfully submitted,

By: Clifford W. Browning
Clifford W. Browning
Reg. No. 32,201
Krieg DeVault LLP
One Indiana Square
Suite 2800
Indianapolis, IN 46204
(317)636-4341